under which these men are in custody.

thorize the formation of municipal corpolocal and temporary, and to meet special rations, and none such have been formed. exigencies. I have no question but that does not authorize municipal corporations erly called ordinances and are not laws, and the right to establish them is reserved though having the force of laws,

1846. See Article 8, Sections 1 and 9. part of the Legislative power.

Under this New York Constitution and under it, as amended, the mayor and commonality of cities are allowed to make a have the force and effect of laws, and the validity of which has been upheld by the highest tribunals in the State.

I call attention to the following cases and rules they establish: In the People vs. Acton, 48 Barb., pp. 524-31, the Court say: "the power of legis-"lating is a necessary right to a municipal "corporation and authority to confer on sum unpaid, theretofore expended for their "them legislative power for local purposes, "may be found in Section 9, Article 8 of the

"Constitution." This is fully sustained in the Bank of Rome vs. The Village of Rome, 18 N. Y. R., pp. 38-41. Also in Clarke vs. the City of Rochester,

28 N. Y. R., pp. 605, 633-4-5. See also Gregory vs. The City of New York, 40 N. Y. R., pp. 273, 282. Mayor, etc., of New York vs. Williams and Price, 15 N. Y. R., p. 502. In the City of Brooklyn vs. Toynbee, 31

Barb's, p.282, it is held that " A municipal "government may be authorized to pass " ordinances imposing new and superadded penalties for acts already penal by the "Laws of the State." See also Tanner vs. the Trustees of Albi-

on, 5 Hill, pp. 121-21. almost universally now Local Option Laws which allow localities to decide by vote, whether licenses to sell liquor shall be granted are held to be constitutional.

See Central Law J., Vol. 12, No. 6, p. 123, I also refer to Title Three Section 8, subdivisions 2 to 10 inclusive, and Sections 10 and 11 of the Charter of the City of Buffalo, to the body of the Ordinances comprising 152 pages, and especially to chapter 21, p.

scope and in a much more complete manner, I claim that the King in Privy Council may make ordinances and that he had the unquestioned power to make the ordinances which are in dispute. The Board of Health have undisputed power to make vald ordinances, and yet there is no more direct authority in the Constitution for their action than for the action of the Bureau of Immigration, and the ordinances of the Board of Health reach throughout all the districts of the Is-

By Section I of the Laws of 1864, pp. 59 and 60: "The Bureau of Immigration are appointed for the purpose of superintending the importation of foreign laborers and the fy the Ladies of Honolulu, and the public generally, the importation of foreign laborers and the introduction of immigrants." This means that she has disposed of her Midinery and Dress Making Establishment to Mrs Wilkinson, who will carry on the business,

to "recommend to the King in Privy Council such measures and regulations as may be deemed expedient to promote and encourage the instruction of free immigrants

By Section 6: Such measures and regulathe King in Council and published in a newspaper.

By Section I of the Laws of 1868, p. 50: "The Board of Immigration are to devise and recommend for the adoption of the King in Privy Council such rules and regulations as may be deemed necessary for the good government and control of immigrants brought or admitted into this Kingor permission from the Bureau of Immi-

Honolulu paper: By Section 3: "The ordinances so adopted shall specify the penalties for violation of the same, and shall have the force of

may make in the interest of the health of the immigrants or that of the public."

And subdivision seventh: "That immi-"grants not desiring to make engagements "for labor shall, before leaving the depot-"furnish to the President of the Board of "Immigration satisfactory evidences, that "they will not become vagrants or a charge

"on the community for their support." The only penalty prescribed by the ordinance does not attach to the immigrants themselves, but only to the captain and others, who may aid them in breaking the rules of the ordinances binding on them. All else is beyond question for the comfort and advantage, the protection and

should be thankful, and of which he cer-

tainly cannot complain. If the Bureau are to superintend the introduction of immigrants; if they are to recommend rules and regulations to be adopted by the King in Privy Council for JOB PRINTER! the good government, and control of immi-grants that have been or may be admitted as servants or laborers under their license or permission; and if these are the ordinances so recommended and so adopted, we are at a loss to see how, by any less stringent ordinances the Board could have any con-

complained of by any man. The matter of danger from an influx of payment thereto, and all persons owing said Estate to make immediate payment thereto, and all persons having claims against said paupers is one likely to come up on the spur of the moment, as it has done this from this date or they will be forever barred. And all pertime, and to call for immediate action. The restraint upon immigrants coming in large numbers to seek labor is naturally a matter like police regulations, and should rest in ordinances subject to immediate repeal and not in general statute law, so thought the legislature, and so thought the King in Privy Council, and the wisdom of it is un-

The ordinances are valid. The appellants came here subject to the Good References Given if Required ! laws and ordinances which existed when they came.

It is as though they were still on the deck of the Septima, liable to be refused SPECIAL NOTICE.

deck of the Septima, liable to be refused permission to land, if they do not comply with the laws; and being landed, they are landed upon the express condition that they are subject to all the restraining provisions

SPECIAL NOTICE.

ALL ACCOUNTS DUE AND OWING TO the PACIFIC COMMERCIAL ADVERTISER Office up to and including the 30th day of August, must be settled with J. H. Black only. And all indebtedness up to the same date will practice in all Courts of the several Islands in the Kingdom. Office first room over the store of Dillingham & Co., ore Street, Honolulu.

OC. JONES. (Acko) Attorney and Counting provisions will be settled by the same date will be settled by the same date will practice in all Courts of the several Islands in the Kingdom. Office first room over the store of Dillingham & Co., ore Street, Honolulu.

State. By Article 45, the King is a part of of these ordinances, and they must be rethe law-making power. I feel absolutely manded into custody subject to their right

confident that there is reserved by the King, to go elsewhere out of the country. to himself in Privy Council, all the quasi The distinction between an ordinance law-making power which is held by any and a law is a close and obscure one, and it city or municipal corporation in any civil- is hard to establish any certain criterion to ized nation in the world, and that this pow- determine it. Many times ordinances look er is ample to authorize the ordinances like laws, and again laws look like ordinances.

The Kingdom is divided into districts and the Constitution does not directly au-The Constitution of the United States the provisions in these ordinances are prop-

The problem of the way to support these all of the States is expressly provided for in the State Constitution. It is so in the State of New York, by the Constitution of ous one, in case they should refuse reasonable employment when offered them, and By Article 3, Section 1: "The Legislative should also refuse or be unable to furnish to power of the State shall be vested in a Sen- the government satisfactory evidence that ate and Assembly. The Governor has no they would not become a public charge if allowed to go at large. Of course they must not be permitted to starve, and it may be sald that in this way, they at once and surely become a public charge.

The remedy of the government would be, multiplicity of penal ordinances, which by a new ordinance to require them in some way to labor sufficiently for their Lists and Catalogues sent post free own support, which they should be cheerfully willing to do. Or the government might properly require, in case they should finally make labor contracts, that those contracts and sums derived from them should be subject to the payment of any

This condition might properly be attached to their discharge. If they are properly restrained, and are able to pay for their keeping they should be compelled to do so. If unable to pay it, and if they refuse to accept reasonable employment when offered them, such facts would cause them to be committed, if at large, as vagrants under the law, and they would not be desirable citizens of any country. See Passenger Cases. Opinion of Woodbury, Justice, 7 How., U. S. S. C. R., pp. 253, 254-

That the necessity for such a temporary ordinance might arise unexpectedly, is an illustration of the true philosophy controlling the making of most ordinances. They are to meet the exigency of the mo-

Of the validity of such an ordinance, if passed, I have no doubt whatever. It has been claimed that these men are kept by the government in order to compel them to take lower wages than is fair. The statement is not true, and refutes itself.

The labor market is full, and labor, therefore, is lower than formerly. Six months ago these men could have obtained labor contracts readily at much larger monthly wages than they can now. The universal In analogy to these adjudged powers of municipal corporations, but with a much broader score and in a much broader score and in a much more much ister motives towards these men is uncalled for and unjust.

While the men remain in a body, seeking to ship as laborers, the competition to enhance the price of labor, among employers who want it, will be as great as if the men were allowed to separate and depart. BENJ. H. AUSTIN AND CASTLE & HATCH, Counsel for Respondents.

Hehr Advertisements.

NOTICE.

and takes the present opportunity of thanking her numerous By Section 4: The Bureau are directed patrons for the very liberal patronage extended to her, and o "recommend to the King in Privy Coun-MRS. D. B. GRIFFIN.

MRS. WILKINSON WOULD RESPECTFULLY CALL THE ation of the Ladies of Honolulu and of the Is ands to the above announcement, and she will carry or tions shall be embodied in ordinances of MILLINERY & DRESSMAKING

Business in all its details. Mrs. W. would also state that she has secured the services of MRS. DAVIS.

A Milliner of TASTE and EXPERIENCE, who will have MRS. WILKINSON Takes pleasure in announcing that she is now opening a large

dom, as servants or laborers under license Dress Silks, Satins, Flowers, Feathers, Ribbons, &c., Ordered from Europe and San Francisco by Mrs. Griffin, and

By Section 2: The rules and regulations selected with special reference to the requirements of the ladies of this city and group. so adopted shall be embodied in ordinances of the King in Council and published in a patrons, moderate terms, and furnishing only first class articles in her line, to merit a share of the public patronage

A CARD.

TO THE PUBLIC: - Having but recently entered into my Let us now look at the ordinances enacted | new line of business as a Real Estate Broker and Employby the King in Privy Council. The only | ment Agent, I wish to thank the public generally for their parts which attack in any way the liberties appreciation of the new enterprise; and, now that I have of the immigrants are part of subdivision made complete arrangements for the promotion of this benefifirst : "That immigrants shall not be cial undertaking, by advertising thoroughly throughout the landed until permission be granted by the President or an Agent of the Board of Immigration." And subdivision fourth : interests of this community in furnishing homes for all who "That they shall be subject to the inspec-tion of the Agent of the Board of Health It will be my careful endeavor to look to the interests of al and to such orders as the Board of Health who place their Rooms, Houses and Real Estate in my hands

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> H. M. MOORE, (Formerly in employ of Castle & Cooke,) 104 FORT STREET.

(Above Mellis' Store) at a loss to see how such ordinances can be complained of by any man sons having deposited property of any kind with said C. S. Bartow, will call at once and claim the same.

RICHD. F. BICKERTON,

> Honolulu, April 8th, 1881. SPECIAL NOTICE. TO THE SUGAR MANUFACTURERS OF the Hawaiian Islands. P. TULLY would respectfully offer his services as a SUGAR BOILER, having had twenty years experience in that capacity in other countries, and three in this. He feels competent to fill the position in any Boiling House in this Kingdom. Address Box 121, Post Office, Honolulu.

Administrator of the Estate of C. S. Bartow, deceased.

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No. 1 is a fine Chromo done in pure Oil Colors, in 20 printings, size 13 by 18 inches, entitled: BEWARE. Beware! Beware! for "She is fooling thee,

She is fooling thee, Trust her not-This subject is represented by a heautiful young lady sitting in a rustic chair, beneath the overhanging branches of a fine old elim tree; she is faultlessly dressed, with her long, golden ringlets hanging down over her shoulders; in her lap is a shower of beautiful flowers. Near by is a beautiful waterfall, while in the distance tower mountain peaks. Taken as a whole, it is a lovely picture—the beautiful lady in the rustic chair in a thoughtful mood, inxuriant foliage all around, the beautiful flowers, the landscape, with the blue canopy of heaven o'er all combine to form an enchanting scene, and one that cannot fail to satisfy all.

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Gathering Ferns. A beautiful girl of eight years is out gathering ferns—she is barefooted, with no hat on her head, the wind playing with her golden locks. She has her apron full of ferns. It is a beautiful picture of childish beauty and innocence, and cannot fail to find favor in the eyes of all. The coloring of the land-scape is very fine. In the distance is seen the little one's home. The picture, as a whole, is very beautiful and true to nature. It is well worth the price of a year's subscription to the FIRESIDE VISITOR, yet every subscriber gets the VISITOR a year, and the five chromos for the small sum of One Dollar. sum of One Dollar. No. 3 is a fine Oil Chromo in 20 colors, size 13 by 18 inch-

Happy Dreams of Childhood. This Beautiful Chromo represents a sleeping child, a beauti-This Beautiful Chromo represents a sleeping child, a beautiful girl of three years of age. She is sweetly sleeping with her doll clasped in her hands. Over and above her are seen angel forms scattering flowers and blessings on the head of the dear one. Beside her couch is sitting her mother intently watching her child, while her hands have paused in the lancy needle-work on which she is engaged. It is a beautifully sweet picture, and will find a warm place in every mother's heart in the land. The child sleeping so sweetly with a smile hovering around its lips, the angel forms o'er head, the mother watching her dear one, the rich draperies and furniture of the room make a rare picture of loveliness. It is taken from the room make a rare picture of loveliness. It is taken from a rare painting by one of the old masters, and cannot fail to be appreciated by all.

No. 4 is a fine Oil Chrome in 20 colors, size 13 by 18 inch.

The Mute Appeal. This subject represents a beautiful Italian girl, dressed in This subject represents a beautiful Italian girl, dressed in her native costume. She is what is known as a Street Musician, and earns her livelihood by her violin and voice. She has played and song to the crowd, and has quietly foided her right arm over and around her violin, while her left arm is outstreched, thus mutely appealing to the public to give her what they may. It is a lovely picture. The girl, though only a strolling player, is rarely beautiful—the sweet, beseeching expression of the face could but make the most sordid find the way into their pockets, and give her a few pennies. It is one expression of the face could but make the most sordid find the way into their pockets, and give her a few pennies. It is one of the richest pictures we have seen for many a day. It is brought out in Oil Colors, and is equal in every respect, to any oil painting, and few can tell whether it is an Oil Chromo or an Oil Painting, so faithfully it is reproduced. To see it is to fall in love with it at once, and every one who sees it, will have it. No. 5 is a fine Oil Chromo in 20 colors, size 13 by 18 inches, entitled

This is a companion piece to No. 4. It represents a beautiful Italian girl (entirely unlike the other.) She is also a Street Musician, earning her livelihood with her voice and violin; she has played to her audience, and has received her

IRON TANKS

The Reward!

reward in the share of a shining silver plece which she a holding in her hand, while a smile of delight, at her success, hovers on her lips, and her face is radiant. It is a very lovely nicture. This Charma along it worth takes the picture. This Chromo alone is worth year's subscription to the FIRESIDE VISITOR, yet subscribers will receive the FIVE foregoing large Chromos FREE, and the VISITOR a year for a single dollar.

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That each subscriber receives the foregoing FIVE LARGE BEAUTIFUL CHROMOS, and the FIRESIDE VISITOR a year for a single dollar, and both papers and chromos are send postpaid in every case. No publisher in this country ever offered so much for a single dollar and fulfilled it. I promise only what I know I can

The undersigned, Sols Agents for the Haws lian Island would respectfully notify the inhabitants of this Kingdom that the above only covers postage throughout the United States, that the Hawaiian postage is EXTRA for Chromos and Pa-

Subscription covering all expenses. \$1.25 a year in advance. Bubscription List now open. Al Agents wanted all over the Kingdom; Write for

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TURER'S IN THE WORLD, and having besides branches in all the principal Cities of the United States. Our object in these islands, is for the purpose of supplying

THE LARGEST BILLIARD MANUFAC-

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Our Tables are undoubtedly the hest ever manufactured, and our Cushlons are highly appreciated, having received the endorsement of the best Professional and Amateur Players throughout the world. Our goods are admitted by even, our boldest competitors to be unequalled in beauty, quality, and finish, and we have the most extensive establishment of the We can fill orders with greater facility, and afford better satisfaction than any other Billiard Table manufacturers.

The undersigned would most respectfully ask the attention of the citizens of the islands to the FIVE BILLIARD TABLES,

Now in use and imported from the above manufacturers

And would venture to say that these Tables cannot be in any way excelled. All Champion Players and experts pre-No. 1. & the Best Tables Manufactured. All Champion games and the biggest runs are made on

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MONARCH, NONPAREIL NOVELTY. ECLIPSE CAROM & POOL,

ECLIPSE POOL & CAROM TABLES,

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Which are the Tables of the Day. Orders solicited for any part of or full outfits in the Billiard

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Cloths, Balls, Cues, Racks, Markers, Bridges, Maces, Chalk, Tips. &c.

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- ALSO THE -Premiums for 1880-81! Stationery Parlor Billiard Table, with the Monarch Cushions,

The Parepa, Bagatelle and Pigeon Hole

Tables, Which are of superior quality and finish.

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The last but not least comes the VIRGINIUS.

Being determined not only to keep up with the times, but to keep shead of all competitors, I have had gotten up FIVE.

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